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EXAMINER
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YOUNG, JOHN L

ART UNIT	PAPER NUMBER
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3622

DATE MAILED: 03/31/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/628,465

Applicant(s)

HAITSUKA ET AL.

Examiner

John L Young

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

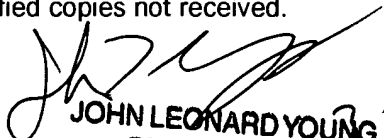
## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
JOHN LEONARD YOUNG, ESQ.  
PRIMARY EXAMINER

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 3622

## **NON-FINAL REJECTION**

**(Paper#13)**

### **SUSPENSION EXPIRED**

1. Suspension of the instant application expired six months after the suspension grant date (i.e., six months after 06/13/2003); the vacated Office action paper#8, Non-Final Rejection is herein re-initiated as non-final rejection paper#13.

### **DRAWINGS**

2. This application has been filed with drawings that are acceptable for examination and publication purposes. The review process for drawings that are included with applications on filing has been modified in view of the new requirement to publish applications at eighteen months after the filing date of applications, or any priority date claimed under 35 U.S.C. §§119, 120, 121, or 365.

### **CLAIM REJECTIONS — 35 U.S.C. §103(a)**

The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the

Art Unit: 3622

prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-27 are rejected under 35 U.S.C. §103(a) as being unpatentable over Merriman 5,948,061 (09/07/1999) (herein referred to as "Merriman") in view of Gerace 5,848,396 (12/08/1998) (herein referred to as "Gerace").

As per claim 1, Merriman (the ABSTRACT; FIG. 1; and col. 1, ll. 6-11) shows: "A method of providing an advertisement-related electronic presentation to a user of an online service. . . ."

Merriman (the ABSTRACT; FIG. 1; and col. 1, ll. 6-11) shows: "the user using a client application on a local device to access an online server associated with the online service, wherein the online service displays an advertisement to the user. . . ."

Merriman (col. 1, ll. 28-45; the ABSTRACT; FIG. 1; FIG. 3A; and col. 1, ll. 6-11) shows: "the user using a client application on a local device to access an online server associated with the online service, wherein the online service displays an advertisement to the user . . . the online server obtaining personal profile information from the user; the client application causing an advertisement to be displayed on the local device; the user performing a click-through on the advertisement. . . ."

Merriman (col. 1, ll. 28-45; the ABSTRACT; FIG. 1; FIG. 3A; and col. 1, ll. 6-11) inherently shows: "the client application transmitting a notification signal to the

Art Unit: 3622

online server notifying the online server that the user clicked on the advertisement. . . .”

This is inherently shown because transmitting notification signals was common practice in, for example, handshaking signals used in computer networking/communications at the time of the invention.

Merriman (col. 1, ll. 28-45; the ABSTRACT; FIG. 1; and col. 1, ll. 6-11) shows: “the online server using the personal profile information to identify one or more resource locators according to a selection protocol associated with the advertisement. . . .”

Merriman (col. 1, ll. 28-45; the ABSTRACT; FIG. 1; and col. 1, ll. 6-11) shows: “the online server transmitting a signal to the client application identifying the one or more resource locators. . . .”

Merriman (col. 1, ll. 28-45; the ABSTRACT; FIG. 1; and col. 1, ll. 6-11) shows: “the client application causing the local device to access one or more resources associated with the one or more resource locators.”

Merriman lacks an explicit recitation of “wherein the online service displays an advertisement to the user on behalf of a sponsor. . . .” even though Merriman (FIG. 1; and col. 3, ll. 22-62) and Merriman (the ABSTRACT; FIG. 1; col. 1, ll. 6-67; col. 2, ll. 1-45; col. 2, ll. 59-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-15 and whole document) reasonably suggests same.

In this case the Merriman’s “affiliate” (see Merriman FIG. 1) is interpreted as “a sponsor.”

Gerace (FIG. 3B) discloses “*Sponsor interest list. . . .*”

Art Unit: 3622

Gerace proposes sponsor modifications that would have applied to the method and system of Merriman. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the disclosure of Gerace with the teachings of Merriman because such combination would have provided a means for "*targeting advertising. . . .*" (see Merriman (col. 2, ll. 43-45)) and because such combination would have provided a means for "*targeted marketing. . . .*" (see Gerace (col. 2, ll. 30-35)).

As per dependent claims 2-3, Merriman in view of Gerace shows the method of claim 1.

Merriman in view of Gerace lacks explicit recitation of the elements and limitations of claims 2-3, even though Merriman (the ABSTRACT; FIG. 1; col. 1, ll. 6-67; col. 2, ll. 1-45; col. 2, ll. 59-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-15) in view of Gerace (the ABSTRACT; FIG. 3A; FIG. 3B; FIG. 3C; FIG. 3D; FIG. 3F; FIG. 3G; FIG. 4B; FIG. 5A; FIG. 5B; FIG. 5C; col. 1, ll. 1-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-45; col. 13, ll. 1-67; and col. 15, ll. 1-67) reasonably suggests same.

Official Notice is taken that both the concepts and the advantages of the elements and limitations of claims 2-3 were well known and expected in the art at the time of the invention. It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the elements and limitations of

Art Unit: 3622

claims 2-3, because such inclusion would have provided a means for *"targeting advertising. . . ."* (see Merriman (col. 2, ll. 43-45)) and because such combination would have provided a means for *"targeted marketing. . . ."* (see Gerace (col. 2, ll. 30-35)).

As per claim 4, Merriman (the ABSTRACT; FIG. 1; and col. 1, ll. 6-11) shows: "A method of providing an . . . [affiliate] access to data related to an advertisement that is displayed to a user of an online service administered by an online service provider. . . ."

Merriman (the ABSTRACT; FIG. 1; and col. 1, ll. 6-11) shows: "the user using a client application on a local device to access an online server associated with the online service, the local device including an input device and an output device, wherein the online service display[sic] the advertisement to the user on behalf of . . . [an affiliate]. . . ."

Merriman (col. 1, ll. 28-45; the ABSTRACT; FIG. 1; FIG. 3A; and col. 1, ll. 6-11) shows: "the client application activating: the client application causing the advertisement to be displayed on the output device; the user performing a click-through on the advertisement. . . ."

Merriman (col. 1, ll. 28-45; the ABSTRACT; FIG. 1; FIG. 3A; and col. 1, ll. 6-11) inherently shows: "the client application creating a data set, the data set including an identifier code associated with the advertisement and further including information descriptive of the user. . . ."

Art Unit: 3622

Merriman (col. 1, ll. 28-45; the ABSTRACT; FIG. 1; FIG. 3A; and col. 1, ll. 6-11) inherently shows: “the client application transmitting the data set to the online server via a communication channel from the local device to the online server. . . .”

Merriman lacks an explicit recitation of “providing a sponsor access to data related to an advertisement . . . [and] the online server storing the data set in a format that is accessible by the sponsor. . . .” even though Merriman (FIG. 1; FIG. 2; FIG. 3A; FIG. 3B; FIG. 3C; and col. 3, ll. 22-62) suggests same. In this case the Merriman's “*affiliate*” is interpreted as “a sponsor.”

Gerace (FIG. 3B) discloses “*SPONSOR. Interests.*”

Gerace proposes sponsor modifications that would have applied to the method and system of Merriman. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the disclosure of Gerace with the teachings of Merriman because such combination would have provided a means for “*targeting advertising. . . .*” (see Merriman (col. 2, ll. 43-45)) and because such combination would have provided a means for “*targeted marketing. . . .*” (see Gerace (col. 2, ll. 30-35)).

Merriman lacks an explicit recitation of “the client application creating a data set, the data set including an identifier code associated with the advertisement and further including information descriptive of the user. . . .” even



Art Unit: 3622

though Merriman (FIG. 1; FIG. 2; FIG. 3A; FIG. 3B; FIG. 3C; and col. 3, ll. 22-62) suggests same.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art that the disclosure of Merriman (FIG. 1; FIG. 2; FIG. 3A; FIG. 3B; FIG. 3C; and col. 3, ll. 22-62) would have been selected in accordance with "the client application creating a data set, the data set including an identifier code associated with the advertisement and further including information descriptive of the user. . . ." because such selection would have provided a means for "*targeting advertising*." (See Merriman (col. 2, ll. 43-45)).

As per dependent claims 5-11, Merriman in view of Gerace shows the method of claim 4.

Merriman in view of Gerace lacks explicit recitation of the elements and limitations of claims 5-11, even though Merriman (the ABSTRACT; FIG. 1; col. 1, ll. 6-67; col. 2, ll. 1-45; col. 2, ll. 59-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-15) in view of Gerace (the ABSTRACT; FIG. 3A; FIG. 3B; FIG. 3C; FIG. 3D; FIG. 3F; FIG. 3G; FIG. 4B; FIG. 5A; FIG. 5B; FIG. 5C; col. 1, ll. 1-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-45; col. 13, ll. 1-67; and col. 15, ll. 1-67) suggests same.

Official Notice is taken that both the concepts and the advantages of the elements and limitations of claims 5-11 were well known and expected in the art

Art Unit: 3622

at the time of the invention. It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the elements and limitations of claims 5-11, because such inclusion would have provided a means for "*targeting advertising. . . .*" (see Merriman (col. 2, ll. 43-45)) and because such combination would have provided a means for "*targeted marketing. . . .*" (see Gerace (col. 2, ll. 30-35)).

Independent claim 12 is rejected for substantially the same reasons as independent claim 4.

As per dependent claims 13-17, Merriman in view of Gerace shows the method of claim 12.

Merriman in view of Gerace lacks explicit recitation of the elements and limitations of claims 13-17, even though Merriman (the ABSTRACT; FIG. 1; col. 1, ll. 6-67; col. 2, ll. 1-45; col. 2, ll. 59-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-15) in view of Gerace (the ABSTRACT; FIG. 3A; FIG. 3B; FIG. 3C; FIG. 3D; FIG. 3F; FIG. 3G; FIG. 4B; FIG. 5A; FIG. 5B; FIG. 5C; col. 1, ll. 1-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-45; col. 13, ll. 1-67; and col. 15, ll. 1-67) suggests same.

Official Notice is taken that both the concepts and the advantages of the elements and limitations of claims 13-17 were well known and expected in the art at the time of the invention. It would have been obvious to a person of ordinary

Art Unit: 3622

skill in the art at the time of the invention to include the elements and limitations of claims 13-17, because such inclusion would have provided a means for *"targeting advertising. . . ."* (see Merriman (col. 2, ll. 43-45)) and because such combination would have provided a means for *"targeted marketing. . . ."* (see Gerace (col. 2, ll. 30-35)).

As per claim 18, Merriman (col. 2, ll. 6-36; FIG. 1; FIG. 2; FIG. 3A; FIG. 3B; FIG. 3C; col. 1, ll. 25-45; and col. 2, ll. 1-5) shows: "A method of assembling data related to a user's interaction with advertisements, the user accessing an online service via a local device and a client application, the local device including an input device and an output device . . . the user providing the client application with data descriptive of the user. . . ."

Merriman (col. 2, ll. 6-36; FIG. 1; FIG. 2; FIG. 3A; FIG. 3B; FIG. 3C; col. 1, ll. 25-45; and col. 2, ll. 1-5) shows: "the client application storing the user-descriptive data in a first data set. . . ."

Merriman (col. 2, ll. 6-36; FIG. 1; FIG. 2; FIG. 3A; FIG. 3B; FIG. 3C; col. 1, ll. 25-45; and col. 2, ll. 1-5) shows: "the client application causing an advertisement to be displayed on the output device. . . ."

Merriman (col. 2, ll. 6-36; col. 1, ll. 25-45; and col. 2, ll. 1-5) shows: "the user using the input device to perform a click-through on the advertisement. . . ."

Art Unit: 3622

Merriman (col. 2, ll. 6-36; FIG. 1; FIG. 2; col. 1, ll. 25-45; and col. 2, ll. 1-5) shows: “the client application transmitting the user-descriptive data to an online server associated with the online service via a communication channel linking the local device to the online server. . . .”

Merriman (col. 2, ll. 6-36; FIG. 1; FIG. 2; FIG. 3A; FIG. 3B; FIG. 3C; col. 1, ll. 25-45; col. 2, ll. 1-5; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-15) shows: “the online server storing the user-descriptive data in a second data set, wherein the second data set includes an advertisement identifier code that identifies the advertisement on which the user performed a click-through.”

Merriman lacks an explicit recitation of the “marriage status” elements of claim 18, even though Merriman (col. 2, ll. 6-36; FIG. 1; FIG. 2; FIG. 3A; FIG. 3B; FIG. 3C; col. 1, ll. 25-45; col. 2, ll. 1-5; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; and col. 9, ll. 1-15) suggests same.

Gerace (FIG. 3B) discloses “*Lifestyle . . . marital status. . . .*” elements.

Gerace proposes “*Lifestyle . . . marital status. . . .*” modifications that would have applied to the method and system of Merriman. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the disclosure of Gerace with the teachings of Merriman because such combination would have provided a means for “*targeting advertising. . . .*” (see Merriman (col. 2, ll. 43-45)) and because such

Art Unit: 3622

combination would have provided a means for *"targeted marketing. . . ."* (see Gerace (col. 2, ll. 30-35)).

As per dependent claims 19-23, Merriman in view of Gerace shows the method of claim 18 and subsequent base claims depending from claim 18.

Merriman in view of Gerace lacks explicit recitation of the elements and limitations of dependent claims 19-23, even though Merriman (col. 2, ll. 6-36; FIG. 1; FIG. 2; FIG. 3A; FIG. 3B; FIG. 3C; col. 1, ll. 25-45; col. 2, ll. 1-5; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; and col. 9, ll. 1-15) in view of Gerace (the ABSTRACT; FIG. 3A; FIG. 3B; FIG. 3C; FIG. 3D; FIG. 3F; FIG. 3G; FIG. 4B; FIG. 5A; FIG. 5B; FIG. 5C; col. 1, ll. 1-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-45; col. 13, ll. 1-67; and col. 15, ll. 1-67) suggests same.

Official Notice is taken that both the concepts and the advantages of the elements and limitations of dependent claims 19-23 were well known and expected in the art at the time of the invention. It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the elements and limitations of dependent claims 19-23, because such inclusion would have provided a means for *"targeting advertising. . . ."* (see Merriman (col. 2, ll. 43-45)) and because such combination would have provided a means for *"targeted marketing. . . ."* (see Gerace (col. 2, ll. 30-35)).

Art Unit: 3622

As per claim 24, Merriman (col. 2, ll. 6-36; FIG. 1; FIG. 2; FIG. 3A; FIG. 3B; FIG. 3C; col. 1, ll. 25-45; and col. 2, ll. 1-5) shows: “A method of passing user-specific information to a first server on a data network. . . .”

Merriman (the ABSTRACT; col. 2, ll. 6-36; FIG. 1; FIG. 2; col. 2, ll. 1-5; and col. 1, ll. 25-45) shows: “a user using the local device to establish a connection to the data network. . . .”

Merriman (the ABSTRACT; col. 2, ll. 6-36; FIG. 1; FIG. 2; col. 2, ll. 1-5; col. 3, ll. 1-67; and col. 1, ll. 25-45) shows: “a client application storing user-specific information in the local device. . . .”

Merriman (the ABSTRACT; col. 1, ll. 25-45; col. 2, ll. 6-36; FIG. 1; FIG. 2; col. 2, ll. 1-5; and col. 3, ll. 1-67) shows: “displaying a first display on the local device, wherein the first display includes a hyperlink to a . . . resource on the first server. . . .”

Merriman (col. 3, ll. 1-67; the ABSTRACT; col. 1, ll. 25-45; col. 2, ll. 6-36; FIG. 1; FIG. 2; and col. 2, ll. 1-5) shows: “the user activating the hyperlink. . . .”

Merriman (col. 3, ll. 1-67; the ABSTRACT; col. 1, ll. 25-45; col. 2, ll. 6-36; FIG. 1; FIG. 2; FIG. 3A; FIG. 3B; FIG. 3C; and col. 2, ll. 1-5) shows: “the client application forming a message requesting the . . . resource wherein the message includes at least some of the user-specific information. . . .”

Merriman (col. 3, ll. 1-67; the ABSTRACT; col. 1, ll. 25-45; col. 2, ll. 6-36; FIG. 1; FIG. 2; FIG. 3A; FIG. 3B; FIG. 3C; col. 4, ll. 1-67; col. 5, ll. 1-67;

Art Unit: 3622

col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-15; and col. 2, ll. 1-5) shows: “the client application sending the message to the first server on the data network.”

Merriman lacks an explicit recitation of the generic resource elements of claim 24, even though Merriman (col. 3, ll. 1-67; the ABSTRACT; col. 1, ll. 25-45; col. 2, ll. 6-36; FIG. 1; FIG. 2; FIG. 3A; FIG. 3B; FIG. 3C; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-15; and col. 2, ll. 1-5) suggests same.

Gerace (FIG. 5A) discloses “*contact info . . . URL . . .*” elements.

Gerace (col. 9, ll. 30-58) discloses “*sponsor provided advertisements . . .*” From the above citations, the Examiner derives the interpretation of a generic resource.

Gerace proposes “generic resource modifications that would have applied to the method and system of Merriman. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the disclosure of Gerace with the teachings of Merriman because such combination would have provided a means for “*targeting advertising . . .*” (see Merriman (col. 2, ll. 43-45)) and because such combination would have provided a means for “*targeted marketing . . .*” (see Gerace (col. 2, ll. 30-35)).

Art Unit: 3622

As per dependent claims 25-27, Merriman in view of Gerace shows the method of claim 24.

Merriman in view of Gerace lacks explicit recitation of the elements and limitations of dependent claims 25-27, even though Merriman (the ABSTRACT; FIG. 1; col. 1, ll. 6-67; col. 2, ll. 1-45; col. 2, ll. 59-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-15) in view of Gerace (the ABSTRACT; FIG. 3A; FIG. 3B; FIG. 3C; FIG. 3D; FIG. 3F; FIG. 3G; FIG. 4B; FIG. 5A; FIG. 5B; FIG. 5C; col. 1, ll. 1-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-45; col. 13, ll. 1-67; and col. 15, ll. 1-67) suggests same.

Official Notice is taken that both the concepts and the advantages of the elements and limitations of dependent claims 25-27 were well known and expected in the art at the time of the invention. It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the elements and limitations of dependent claims 25-27, because such inclusion would have provided a means for "*targeting advertising. . . .*" (see Merriman (col. 2, ll. 43-45)) and because such combination would have provided a means for "*targeted marketing. . . .*" (see Gerace (col. 2, ll. 30-35)).



CONCLUSION

4. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Any response to this action may be sent via facsimile to either:

(703) 746-7239 or (703) 872-9314 (for formal communications EXPEDITED PROCEDURE) or (703) 746-7239 (for formal communications marked AFTER-FINAL) or (703) 746-7240 (for informal communications marked PROPOSED or DRAFT).

Hand delivered responses may be brought to:

Seventh floor Receptionist  
Crystal Park V  
2451 Crystal Drive  
Arlington, Virginia.

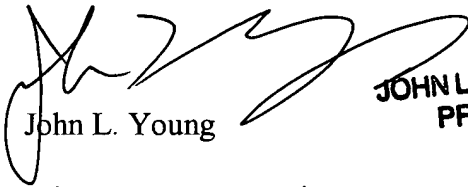
Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L. Young who may be reached via telephone at (703) 305-3801. The examiner can normally be reached Monday through Friday between 8:30 A.M. and 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber, may be reached at (703) 305-8469.

Application/Control Number: 09/628,465  
Art Unit: 3622

Page 17

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.



John L. Young

**JOHN LEONARD YOUNG, ESQ.  
PRIMARY EXAMINER**

Primary Patent Examiner

March 22, 2004